United Nations S/2012/876

Security Council

Distr.: General
27 November 2012

Original: English

Letter dated 23 November 2012 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit a letter dated 13 November 2012 from Mr. Ramtane Lamamra, African Union Commissioner for Peace and Security, on behalf of the Chairperson of the African Union Commission (see annex). Enclosed with the letter is the harmonized concept of operations for the deployment of the African-led International Support Mission in Mali, endorsed by the African Union Peace and Security Council at its 341st meeting, held in Addis Ababa on 13 November 2012, as well as the communiqué of that meeting.*

I would be grateful if you would bring his letter, together with the endorsed concept of operations and the communiqué of the African Union Peace and Security Council meeting of 13 November 2012, to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

* The enclosures are being circulated as received, in the languages of submission only.

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Annex

Letter dated 13 November 2012 from the Commissioner for Peace and Security of the African Union addressed to the Secretary-General

On behalf of the Chairperson of the Commission, I am writing to you, as a follow-up to her letter of 25 October 2012, forwarding the communiqué of the Peace and Security Council of 24 October 2012 and the strategic concept for the resolution of the crisis in Mali. You will recall that, in that letter, the Chairperson of the Commission undertook to forward to you the concept of operations for the envisaged deployment of an African-led force in Mali, in response to the request of the Malian authorities to regain control of the occupied territories in the north of the country, dismantle terrorist and criminal networks, and ensure the full restoration of State authority throughout the national territory.

I am pleased to inform you that the Peace and Security Council, at its 341st meeting, held in Addis Ababa on 13 November 2012, endorsed the harmonized concept of operations for the deployment of the African-led International Support Mission in Mali (AFISMA), as recommended by the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS), at its extraordinary session, held in Abuja, on 11 November 2012. I am forwarding, herewith, both the harmonized concept of operations and the communiqué of the Peace and Security Council, as well as the communiqué of the ECOWAS extraordinary summit. I would be most grateful if you could transmit this letter, the communiqué and the concept of operations to the members of the Security Council for their action, as appropriate.

I would like to echo the communiqué of the Peace and Security Council in noting that the strategic concept on the resolution of the crisis in Mali and the concept of operations provide the specific information requested by the Security Council, in its press statement of 18 June 2012 and its resolutions 2056 (2012) and 2071 (2012). It is therefore our expectation that the Security Council will give its full support to both the strategic concept and the harmonized concept of operations and authorize, for an initial period of one year, the deployment of AFISMA, under Chapter VII of the Charter of the United Nations. It is also our expectation that the Security Council, in line with its primary responsibility for the maintenance of international peace and security, will authorize the establishment of a support package funded by United Nations assessed contributions, in order to facilitate the speedy deployment and operations of AFISMA.

In the meantime, the African Union and ECOWAS, working together with all stakeholders, will work towards generating the required forces and finalizing relevant aspects of the planned deployment. Efforts will also be made to assist in mobilizing the necessary support for the Malian defence and security forces. Efforts will also continue to assist the Malian authorities and other stakeholders to expedite the elaboration of the road map for the transition, as well as to support dialogue with all Malian rebel groups willing to seek a peaceful solution the crisis, on the basis of the principles agreed to by the international community. In this spirit, the successful completion of current efforts towards the Malian groups MNLA and Ansar Dine would be a decisive step in the right direction. We intend to closely coordinate our efforts with the United Nations.

I would like to take this opportunity to reiterate our appreciation to the United Nations and the Security Council, in particular, for its leadership on this matter, as demonstrated by the adoption of resolutions 2056 (2012) and 2071 (2012). We have no doubt that the Security Council will build on the momentum generated by those two resolutions to assist the African-led efforts to address the continued worsening situation in northern Mali.

(*Signed*) Ramtane **Lamamra**
Commissioner, Peace and Security

Enclosure I

[Original: English and French]

JOINT STRATEGIC CONCEPT OF OPERATIONS FOR THE INTERNATIONAL MILITARY FORCE AND THE MALIAN DEFENSE AND SECURITY FORCES TO RESTORE THE AUTHORITY OF THE STATE OF MALI OVER ITS ENTIRE NATIONAL TERRITORY

References

A. Accord-cadre between ECOWAS and Comité National de Redressement de la Démocratie et de la Restauration de l'Etat (CNDRE) dated 6 April 2012.

B. ECOWAS Mediation and Security Council Communiqué, MSC/AHSG/DEC 2/04/12 dated 12 April 2012.

C. Decision of Heads of States and Government of ECOWAS dated 16 April 2012.

D. AU PSC Communiqué /PR/COMM.(CCCXXIII) dated 12 June 2012.

E. UN Security Council Resolution 2056 dated 5 July 2012.

F. Letter from the Interim President of Mali to the UN Secretary-General dated 30 August 2012.

G. Letter from the Interim President of Mali to the ECOWAS Chairman dated 1 September 2012.

H. Letter from the UN Secretary-General to the Interim President of Mali dated 14 September 2012.

I. Letter from the UN Secretary-General on Human Rights Due Diligence Policy (HRDDP).

J. Letter from ECOWAS Chairman to the Interim President of Mali dated 19 September 2012.

K. Letter from the Interim President of Mali to ECOWAS Chairman dated 23 September 2012.

L. UN Security Council Resolution 2071 dated 12 October 2012.

M. AU PSC Communiqué PSC/MIN/COMM.2 (CCCXXXIX) dated 24 October 2012.

N. AU Strategic Concept for the resolution of the crises in Mali adopted by the by the AUPSC on 24 October 2012.

O. CONOPS for ECOWAS Mission in Mali (MICEMA) dated 30 October 2012.

P. CONOPS for Mali Defence and Security Forces (MDSF).

REVIEW

1. Based on references A to P above, an International Military Force[1] (IMF) comprising a core military force, with appropriate civilian and police elements is to be established as a Mission, with a mandate for twelve months. Progress against the mandate will be reviewed prior to its conclusion to assess any further actions required.

[1] As the Mission will be under the African Peace and Security Architecture (APSA), the requirement for international support, and the need to have civilian and police elements in the mission, suggestions have been made to name the Mission as *Mission Internationale de Soutien au Mali sous conduite Africaine* (MISMA). In English, it could either be African-led International Support Mission in Mali (AFISMA) or International Support Mission to Mali led by Africa.

SUMMARY OF MISSION CONCEPT

2. The IMF will initially assist in equipping and training the Malian Defense and Security Forces (MDSF). The IMF will also prepare and deploy in the Area of Operations as a supporting force to MDSF to recover the regions in northern Mali. After the MDSF has restored national territorial integrity, the MDSF will transition to stabilisation activities, and the IMF will be redeployed from the theatre of operations.

3. Mali, the core countries[2] and other neighbouring countries, with the support of the international community, will then continue their efforts to consolidate security and stability within the region.

BACKGROUND

Political Framework

4 The Malian crisis requires a comprehensive political solution, based on UNSC Resolutions (2065 and 2071) and the AU strategic concept. In this regard, it is crucial that the Transitional authorities of Mali, the non-terrorist Malian groups and legitimate representatives of the total population in the north of Mali, engage as soon as possible, in a credible negotiation process in order to seek a sustainable political solution, mindful of the sovereignty, unity and territorial integrity of Mali. The joint action of the IMF and the MDSF, as described in this Joint strategic Concept of Operations is designed to contribute to this comprehensive political solution.

Environment

5 Northern Mali is an arid area of 937,742 km^2 situated in the Sahel- Sahara region, representing 75 per cent of the total Malian territory. It contains the three regions of Gao, Tombouctou and Kidal, and a population of 1,283,449, representing 10 per cent of the national population. This area is predominantly desert, with some mountainous terrain. It has minimal and irregular rainfall (below 200 mm per year) creating extremely difficult living conditions. Northern Mali shares a 5,000 km border with Algeria, Mauritania, Niger and Burkina Faso.

6 **Humanitarian situation.** The situation in the western part of the Sahel region – which includes Mali - has deteriorated dramatically during 2012 due to drought and sporadic rains, poor harvests, rising food prices, displacement and insecurity. The humanitarian community is scaling up its response to this crisis, but there are significant funding gaps. Urgent support is needed to ensure that programmes can be implemented to prevent a further deterioration in the humanitarian situation. There are continuing and widespread humanitarian needs in Mali, while neighbouring countries are facing an influx of Malian refugees in areas already among the most severely affected by the food and nutrition crisis. An estimated, 19 million

[2] Core countries are Mali, Algeria, Mauritania and Niger.

persons are at risk of food insecurity and malnutrition in the Sahel region, of which some 4.6 million are in Mali. An estimated 204,000 persons are internally displaced in Mali and there are some, 209,000 refugees from Mali in neighbouring countries. It is estimated that 55% of the entire displaced population are women and 3% are children. Operations of most UN and international and national humanitarian Non-Governmental Organisations (NGOs) in northern Mali are currently confined to urban areas due to insecurity in the more remote locations. Limited amounts of assistance are being delivered through local NGOs and civil society organizations. Livelihood and child protection issues remain major challenges. A coordination hub has been established in Mopti to service northern Mali. In the event of military action in Mali, it is expected that at least an additional 200,000 persons will be displaced.

7. **Human rights situation.** The human rights situation in Mali, especially in the North, has deteriorated since January 2012. The crisis has resulted in serious human rights abuses, including war crimes and crimes against humanity that have been perpetrated in the North. Transnational criminal and terrorist groups have reportedly committed gross human rights abuses, including summary and extrajudicial executions, sexual and gender-based violence, recruitment and use of child soldiers, torture, and the looting of hospitals. It is also reported that they are perpetrating violations of economic, social and cultural rights. Many schools in the North were reportedly closed and looted. Furthermore, several UNESCO world heritage sites have been destroyed.

Risk Assessment

a. Terrorist groups

b Religious extremist terrorist groups and international criminal networks currently control Northern Mali. The major movements consist of islamist terrorist, separatist and transnational criminal groups. The Islamist terrorist groups are Al Qaeda in the Islamic Maghreb (AQIM), Movement for Unity and Justice in West Africa (MUJWA) and Boko Haram. The Arab Movement for Azawad (AMA) is a transnational criminal group. The strength of the core fighters from various nationalities of all movements is estimated to be between 2,500 and 3,000 coming from Africa, Europe and Asia. Terrorist and affiliated extremist groups now pose a security threat to Mali, the sub-region, and the international community.

c The above groups engage in terrorism, narcotic and human trafficking, hostage taking (for ransoms), smuggling of arms, drug route protection, currency exchanges and control of local economies. These activities generate income used for arms procurement, insurgency costs, recruitment of new members, spares and supplies and vehicles as well as other ancillary needs. Weapons available to the groups include rifles, heavy weapons, surface-to-air missiles, anti-aircraft guns, rockets, mortars, light armoured vehicles, mines and IEDs.

d Currently, the groups are consolidating their positions and control in northern Mali. It is envisaged that these activities will continue, until the Malian government with international support can take appropriate steps, including a political and military approach, to reduce the

threats posed by these groups and restore the territorial integrity of Mali. After the MDSF and IMF operations commence, it is likely that the groups will create strongholds and carry out attacks using asymmetric tactics. The risk of terrorist activities being perpetrated in southern Mali, the sub-region, regionally and internationally is likely to increase.

b. *Other rebel groups*

11 The secessionist groups are the National Movement for the Liberation of the Azawad (MNLA) and Popular Front for Azawad (FPA) as well as Ansar Dine.

Strategic Framework

12. **Political strategic objective.** Within the framework of the political process towards resolving the Malian crisis, restore State authority over the national territory and maintain Mali's national unity.

13 **Political strategic end state.** The security conditions are established for a stable democratic Malian State exercising authority over its national territory and assuming its responsibilities for the protection of the population, properties and livelihood means and for addressing regional security and human rights challenges, particularly international terrorism and transnational criminal activities.

14. **Military strategic objectives.**

a. Develop the capacity of the MDSF to an appropriate combat readiness level through coordinated support for training, equipping, technical assistance and funding.

b. Develop capacities for the establishment of the IMF through coordinated support by stakeholders for force generation, training, equipping, technical assistance and funding.

c. Restore the territorial integrity of Mali by fighting against the threat of terrorist and affiliated extremist groups in the Sahel region to recover the regions in northern Mali.

d. Reduce the threat of terrorist and affiliated extremist groups in the Sahel region.

e. Establish a secure environment for the restoration of authority of the State of Mali over its entire national territory and constitutional order.

f. Establish a secure environment for the provision of basic services and social amenities and the return of the displaced population.

g. Support the Malian authorities in their primarily responsibility for the protection of the population with respect for international human rights and international humanitarian

and refugee law, and with adherence to the Human Rights Due Diligence Policy for the provision of support by the UN to non-UN security forces.

h. Reduce transnational organized crime in the Sahel region, including illicit activities such as drug trafficking.

i. Contribute to the creation of the conditions for transition to stabilisation by the Malian authorities.

15. **Military strategic intent.** While the Malian authorities continue to maintain the integrity of the southern Mali regions, the enduring capabilities and capacities of MDSF are to be enhanced through coordinated IMF and international support, to enable them to conduct offensive and stability operations. At the same time, the IMF is to complete its force generation and resolve capability gaps with international assistance, prepare for joint operations, and deploy to the Area of Operations. Preliminary operations are to be conducted to shape the environment and develop situational awareness, and sufficient logistic arrangements are to be concurrently established to deploy the forces, ensure force protection and support operations. Within the framework of the political process towards resolving the Malian crisis, once both forces are operationally effective, operations are to be conducted by the MDSF, supported by the IMF, to restore the territorial integrity of Mali by fighting against the threat of terrorist and affiliated extremist groups in the Sahel region to recover the northern regions of Mali and support the primary responsibility of the Malian authorities for the protection of the population. After the territorial integrity of Mali is restored, the forces will transition to Malian authority stability operations to maintain security and territorial integrity, and consolidate State authority and constitutional order. The IMF is then to be redeployed to home locations.

16. **Military strategic end state.** The territorial integrity of Mali is restored, with the threats from terrorist and affiliated groups, and transnational criminal activities, reduced. A sufficiently secure environment is maintained by an operationally capable MDSF for the consolidation of State authority, maintenance of territorial integrity and the protection of the population; and the conditions are established for the restoration of basic services, social amenities and the return of the population.

Planning Assumptions

17. The following assumptions have been made in planning.

a. The UN Security Council provides timely authorisation for an IMF.

b. There is no major interruption in the political process towards resolving the Malian crisis.

c. The ECOWAS, in coordination with AU, generates the authorised IMF.

d. AU Member States and international partners mobilise and provide resources to support the IMF and MDSF.

e. Mali and neighbouring countries facilitate and support IMF preparations, deployment, operations and other activities.

f. The IMF and MDSF operate under appropriate levels of readiness and interoperability.

g. Appropriate stocks for logistics support will be prepositioned prior to deployment of IMF units.

Constraints and limitations

18. The main constraints and limitations are:

a. Deploy IMF and fill MDSF operational gaps concurrently.

b. To allow hold free and democratic election.

OPERATIONAL ENVIRONMENT

19. Theatre of Operations. The Theatre of Operations comprises the Area of Operations (AO) and the Area of Interest (AI). The AO is defined by the territory of the Republic of Mali, but may also include parts of territories of willing neighbouring and core countries, subject to their agreement and within appropriate legal frameworks. The Area of Interest (AI) includes the territories of the neighbouring countries.

ASSIGNED FORCES

20. **Supported Force.** Five thousand (5,000) MDSF personnel will be involved in the operations to restore the territorial integrity while the rest of MDSF personnel will continue to carry out other security tasks. The operating force conducting the main effort will comprise of eight battle groups, engineers, air assets, logistics, and security agencies. They will require assistance including counter-terrorism, communications, police and special operations, basic and advanced combat skills, mobility and counter mobility skills, Counter-IED (C-IED), fire support, and human rights skills. Basic and specialised equipment will be required for force protection, police operations, C-IED and de-mining operations.

21 **Supporting force.** IMF Three thousand and three hundred (3,300) personnel, consisting of the ECOWAS Standby Force (ESF), reinforced with contributions of other African countries and willing partners. The IMF will comprise of four (04) infantry battalions, engineers, fire support, air assets, logistics and formed police units[3]. The IMF requires the additional generation of special forces, air support assets (combat and utility aircraft and logistic air

[3] Agreement has been reached for at least two FPUs.

transport], additional fire support capabilities, intelligence, and CIED equipment and training. Some basic and specialised training and equipment will also need to be sourced.

22. **Potential International Contributions.** Other countries, including Mali's neighbours, may provide support to both forces including intelligence, logistics and troops to ensure the successful conduct of the joint operation. In addition, international partners, according to their expressed commitments, will provide funding, trainers and requested logistic and operational support.

MISSION

23. The MDSF, supported by the IMF and with international assistance will, for the mandate period of twelve months[4], develop necessary capabilities and recover the occupied regions in the north of Mali, in order to contribute to the creation of the necessary conditions for a stable, democratic Malian State exercising authority over its national territory and assuming its responsibilities in the protection of the population, properties and livelihood means, and addressing regional security challenges, particularly international terrorism and transnational criminal activities.

EXECUTION

Concept of Operations

24. The operation will be conducted in three phases, some of which may overlap.

a. *Phase 1, Deployment and Training. (M*[5] to M+180)

(1) The IMF headquarters will be established as soon as possible in Mali to conduct detailed joint planning with the MDSF.

(2) The MDSF will continue independent security operations to maincain security and the territorial integrity of the southern regions of Mali and will prepare displaced security forces for recommencement of their responsibilities in northern Mali.

(3) The IMF and international partners will train, equip and provide technical assistance to the MDSF to enhance its operational effectiveness for joint operations to recover, and subsequently maintain control, of the northern regions of Mali.

(4) The ECOWAS, in consultation with AU, and with international support, will facilitate the completion of generation of the necessary capabilities for the

[4] The mandate for IMF will initially be for twelve months, but may be reconsidered through review.

[5] The mission will commence at "M", which is the date of authorisation of the mandate by the UN Security Council.

deployment of IMF to Mali, including forces, training, equipment and technical assistance.

(5) Logistics support arrangements, initial basing, communications and operational stocks will be established.

(6) Preliminary operations will be conducted to shape the operational environment and to develop situational awareness. This will include a comprehensive information campaign through the AU, ECOWAS and Mali, based on an agreed, coordinated strategic communications strategy.

(7) The operation will also take into consideration humanitarian issues and human rights in the concerned areas.

(8) **Main effort.** Resolve training and capability needs, and develop logistic support.

b. Phase 2. Restoration of territorial integrity. (M+180 - or sooner if MDSF are ready - to M+300)

(1) MDSF, supported by IMF and with international assistance, will conduct operations to recover the northern regions in order to restore its national territorial integrity and reduce the terrorist threat.

(2) IMF will assist the Malian authorities in their primarily responsibility for the protection of the population.

(3) Enhancing of MDSF capabilities, particularly for security and policing, will continue.

(4) **Main effort.** MDSF operations to recover the northern regions of Mali.

c. Phase 3. Transition to Government of Mali stabilisation operations and programmes. (M+270 to M+360)

(1) The MDSF will transition to stabilisation activities by the Malian authorities to maintain security and territorial integrity, and consolidate State authority and constitutional order.

(2) The IMF, after handover, will redeploy to home locations.

(3) The Malian authorities, with neighbouring and core countries, and the support of the international community, will continue to work to maintain stability in the Sahel.

(4) **Main effort.** Transition to stabilisation activities by the Malian authorities.

Police Concept of Operations

25. The Police element of the Mission, with the support of the international community, will first reinforce the Centre de Coordination des Opérations de Sécurisation des Institutions de la Transition[6] (CCOSIT), while deploying its Formed Police Units (FPUs) in the protection of MINUSMA property and personnel. The Police element will subsequently assist in training and providing logistic support to the MDSF Police and security agencies.

26. As the MDSF stabilizes the regained areas and prepares to deploy in further areas of the northern regions, the Police element, when requested, could support MDSF Police and security agencies to resume their responsibilities for the establishment and maintenance of law and order and public safety. Assistance may also consist of addressing gaps identified with regard to security threats to the restoration of State authority and the protection of the population with respect for international human rights and international humanitarian and refugee law.

27. Support to Security Sector Reform. The Mission should support the overall goal of rebuilding a functional Malian security sector that can effectively play its cardinal role in the restoration of the territorial integrity of Mali under democratic control and oversight. With the aim of reinforcing a coordinated and cohesive approach between all national, sub-regional, regional and international actors, the Mission management structure should include from its commencement a Security Sector Reform Advisory Team, which would pursue three main objectives:

a. Provide an interface and point of contact with the Malian national institutions responsible for SSR, to ensure coherence of short-term actions with the longer-term national framework.

b. In a coordinated manner, assist Malian authorities to urgently conduct a comprehensive security sector mapping ('Etat des lieux') of the Malian security sector, in accordance with UN principles.

c. Facilitate cooperation and division of labour between international actors and the Government of Mali in the short-term provision of training and capacity building for the purpose of restoring the territorial integrity of northern Mali.

Concept of support

28. Logistic support will be provided down to battalion/unit level for all operational phases. A main logistics base, holding and maintaining the strategic reserve stocks and providing central services, will initially be established in a forward location in Mali in the vicinity of the initial locations of force headquarters, and will stage forward as operations progress. If required, additional logistics bases will be established within the theatre of operations.

[6] The CCOSIT is the Malian coordination centre responsible for the security activities of the institutions of the Malian political transition.

Mobile, tactical, Forward Logistic Bases (FLB) will be established in the vicinity of the forward locations of forces, and will follow the axes of advance and operational tempo. Second line force logistic assets will distribute from the FLBs to the units.

29. Each FLB will require medical, maintenance, supply, a Communication and Information Technology System (CITS), Petrol Oils and Lubricants (POL) and engineering services through a combination of mission staff and contractors. The FLBs will hold an appropriate level of reserve stocks of fuel, water, rations, ammunition, general supplies and maintenance equipment to ensure continuity of operations and a sustainable supply chain.

30. The primary means of delivery of goods to the logistic hub(s) will be through road convoys, or intra theatre air assets as required, utilizing the forces' logistics units supplemented, as needed, by contracted vendors on the second and third lines of supply.

31. IMF units will primarily be deployed to the AO by strategic lift under contract or bilateral arrangements. Contingent Owned Equipment (COE) will be deployed by contracted or bilateral air, sea, rail and road transport through the main point of entry, or the most direct route(s) to the AO. Units will initially need to be self-sufficient on deployment for a period of 30 days, after which support will be provided.

32. Units are to deploy with a minimum of a Level I medical capability, containing at least two Forward Medical Teams (FMTs). Level II medical facilities will be provided within the AO, and MEDEVAC to Level III and IV facilities in the region. Force air assets, supplemented if necessary by contract, will conduct CASEVAC.

33. Support Costs. Support costs are yet to be finalised.

COORDINATING INSTRUCTIONS

34. Timings. The mission will commence at "M", which is the date of authorisation of the mandate by the UN Security Council.

35. Further planning. It will be essential to retain a skeleton of the planning elements of ECOWAS and AU in Bamako to continue to refine planning documents, with support of the UN and partners where appropriate. These planning efforts should also take into account the need to lay a firm foundation for follow-on post-conflict interventions by Mali and the international community.

COMMAND AND CONTROL

36. Strategic level. The ECOWAS, in consultation with AU, will appoint a Special Representative who will provide political and strategic oversight and serve as the Head of Mission. Since the Mission is primarily military in function, the Special Representative will have a lean Mission Headquarters with the experienced staff necessary to assist in providing strategic guidance to the military component, civilian and police elements, and to coordinate with the Malian authorities. Advisors may include political, humanitarian, human rights, SSR, military, police and legal officers. The Special Representative will receive strategic guidance from ECOWAS in

coordination with the AU, and in accordance with the UN Security Council mandate. Under the mandate, the UN Secretary-General would provide strategic advice on the management of IMF. It is recommended that, in line with the spirit of the Protocol relating to the establishment of the AU Peace and Security Council, the development of the management structure should be guided by the principles of proximity, *subsidiarity*, comparative advantage and mutual accountability, as well as the unique context in Mali.

37. The ECOWAS and AU will establish a bi-level Joint Coordination Mechanism (JCM) to provide strategic guidance and assistance to the IMF. The JCM will comprise of the Defence Ministers of Mali, Troop Contributing Countries (TCCs), core countries and interested parties. Chiefs of Defence Staff of JCM Member States will form a technical advisory working group to the JCM.

38. Mission level coordination. The Special Representative will have regular contact with appropriate Malian authorities in the implementation of the mission mandate. Stakeholders providing support to the mission will, in consultation with the Special Representative, coordinate their activities in a Partners Coordination Forum (PCF), to facilitate the implementation of their support. The UN and partners would participate in the JCM when deemed necessary and appropriate. Partners will also have coordination arrangements at the operational level to enable liaison and coordination of support provided to the Joint Operations Centre (JOC) or Joint Planning and Coordination Centre (JPCC) of the forces.

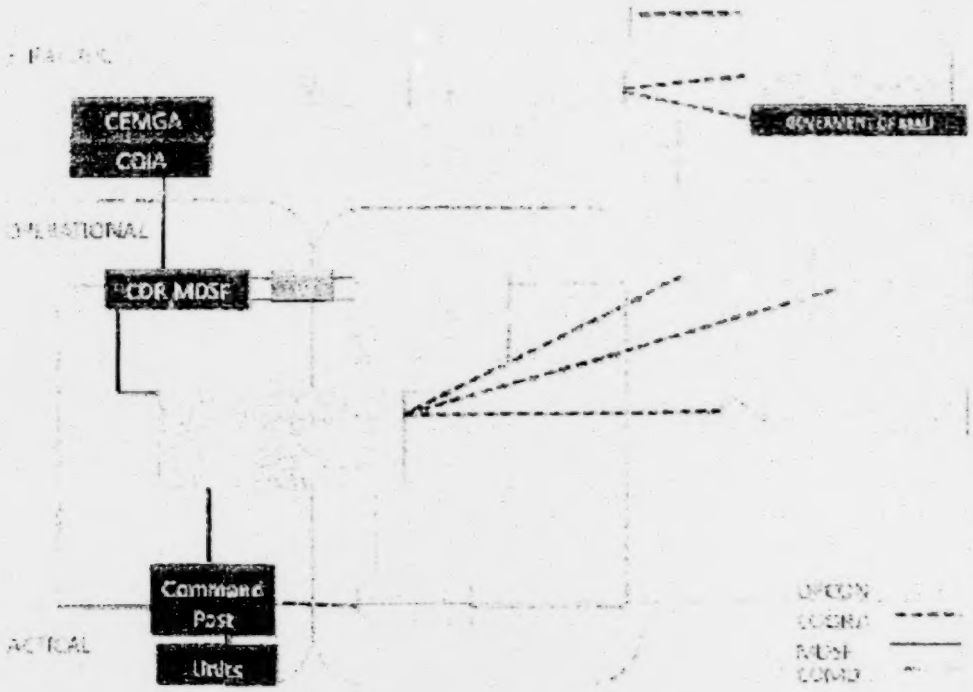
39. Command and Control of Assigned Forces. The MDSF and IMF forces will have separate commanders reporting to the Malian Joint Chief of Staff and the Special Representative respectively. The staff of the Force Headquarters IMF and the MDSF will be integrated in a Joint Planning and Coordination Centre (JPCC). The JPCC shown as appendix 1 will compose of a Joint Operation Centre (JOC), Joint Mission Analysis Centre (JMAC), Joint Logistics Operations Centre (JLOC), Joint CIS Cell, Joint Training Cell, Joint Engineering Cell and Joint Air Operations Centre, that will provide instructions and orders to the two forces. JPCC will be co-headed, receive guidance from the respective Force Commanders, and provide priorities and guidance to the joint staff. Liaison Officers will facilitate coordination at the tactical level. The adopted command and control structure is at Annex A.

Annex

A Adopted Command and Control Structure.

ANNEX A TO
IMF AND MDSF JOINT CONOPS

OPTION 1



ANNEX A TO
IMF AND MDSF JOINT CONOPS

JOINT PLANNING AND COORDINATION CENTRE

Option 1

Colonel – major Ibrahim D DEMBELE

Malian Chief and Defence Staff

General Corps d'Armee Soumaila BAKAYOKO

ECOWAS Chairman, Committee, Chiefs of Defence Staff

Enclosure II

[Original: English and French]

COMMUNIQUÉ

The Peace and Security Council of the African Union (AU), at its 341st meeting held on 13 November 2012, adopted the following decision on the situation in Mali:

Council,

1. **Takes note** of the briefing provided by the Commissioner for Peace and Security on the follow-up to communiqué PSC/MIN/COMM.2(CCCXXXIX) on the situation in Mali, adopted by the 339th meeting of Council, held at the ministerial level on 24 October 2012, particularly regarding the joint planning for the deployment of an African-led international force in Mali. Council **also takes note** of the statements made by Mali, the Special Representative of the Economic Community of West African States (ECOWAS) in Mali, the Chairman of the Committee of the Chiefs of Defense Staff of ECOWAS, Burkina Faso, in its capacity as ECOWAS Mediator in the crisis in Mali, and Algeria, as well as by China, France, South Africa, the United Kingdom, the United States, the European Union (EU), and the United Nations;

2. **Recalls** its previous communiqués on the situation in Mali and **reaffirms its unwavering commitment** to the national unity and territorial integrity of Mali, as well as its total rejection of terrorism and armed rebellion as a means of furthering political claims;

3. **Reiterates its appreciation** to Presidents Yayi Boni of Benin, Current Chairman of the African Union, Alassane Dramane Ouattara of Côte d'Ivoire, Current Chairman of ECOWAS, Blaise Compaoré of Faso, ECOWAS Mediator, Goodluck Jonathan of Nigeria, Associate Mediator, and other regional leaders, as well as to the President of the ECOWAS Commission, Kadré Désiré Ouédraogo, for their efforts to help Mali overcome the challenges facing it. Council **welcomes** the efforts deployed by President Alpha Condé of the Republic of Guinea to facilitate the transfer of the Malian arms that arrived in the port of Conakry, and **encourages him** to take the required additional measures to ensure their speedy and safe transfer to the Malian authorities. Council **reiterates its appreciation** to the core countries for their contribution and continuous commitment to fight against terrorism and transnational organised crime. Council **expresses, once again, its gratitude** to the United Nations Security Council for the support extended to Africa's efforts, particularly through resolutions 2056 (2012) and 2071 (2012), adopted, respectively, on 5 July and 12 October 2012, as well as to the EU and bilateral partners for their support;

4. **Welcomes** the smooth conduct of the Planning Conference held in Bamako, Mali, from 30 October to 4 November 2012, with the participation of experts from Mali, ECOWAS, the core countries, the AU, the UN, the EU and other bilateral partners, as well as the conclusions and recommendations of the meeting of the Committee of the Chiefs of Defense Staff of ECOWAS, which took place in Bamako on 6 November 2012;

5. **Also welcomes** the final communiqué of the Extraordinary Session of the Authority of ECOWAS Heads of State and Government, held in Abuja, Nigeria, on 11 November 2012, at

which the Authority decided to adopt the harmonised Concept of Operations for the deployment of an African-led international Force in Mali, called "African-led International Support Mission to Mali" (AFISMA), and requested the AU Peace and Security Council to endorse the said Concept and ensure its immediate transmission, together with the Strategic Concept for the Resolution of the Crises in Mali, adopted by the 339th meeting of Council, to the UN Secretary-General, within the time limit prescribed by resolution 2071 (2012). In this regard, Council **takes note of** the transmission by the Chairperson of the Commission to the UN Secretary-General, by letter dated 25 October 2012, of the Strategic Concept for the Resolution of the Crises in Mali, and **recalls** paragraph 9 of its communiqué PSC/MIN/COMM.2(CCCXXXIX), by which Council decided that the Concept of Operations for the planned deployment in Mali would be transmitted to the UN Secretary-General by 15 November 2012;

6. **Notes with satisfaction** that the Concept of Operations, as endorsed by ECOWAS, takes into account, as requested in paragraph 10 of communiqué PSC/MIN/Comm.2 (CCCXXXIX), the contributions which may be made, in accordance with the relevant provisions of the Protocol Relating to the Establishment of the Peace and Security Council and the relevant decisions of Council and the Assembly of the Union, by other African countries, including the neighbours of Mali, in terms of intelligence, logistics and troops, and aims at building the operational capacities of the Malian Defense and Security Forces, to enable them play a lead role in the recovery of the regions in the north that are at present occupied by armed, terrorist and criminal groups, as well as the execution of related tasks;

7. **Decides,** in the light of the foregoing, to endorse the harmonised Concept of Operations for the planned deployment of AFISMA, and **stresses** that this deployment falls within the framework of the African Standby Force, as provided for in Article 13 of the Protocol Relating to the Establishment of the Peace and Security Council, and aims at responding to the request of the Malian authorities to regain the occupied regions in the north of the country, dismantle the terrorist and criminal networks and restore effectively the authority of the State over the entire national territory. In this regard, Council **notes with satisfaction** the decision of ECOWAS to maintain its standby brigade in advanced readiness for an imminent deployment;

8. **Requests** the Chairperson of the Commission to transmit immediately the harmonised Concept of Operations to the UN Secretary-General, **looking forward** to the report he will be submitting in accordance with paragraph 7 of resolution 2071 (2012);

9. **Notes** that the Strategic Concept for the Resolution of the Crises in Mali and the harmonized Concept of Operations provide the specific information requested by the UN Security Council, in its press statement of 18 June 2012 and resolutions 2056 (2012) and 2071 (2012), on the objectives, the ways, means and modalities of the planned deployment and other possible measures. Consequently, Council **urges** the UN Security Council to give its full support to the Strategic Concept and the harmonised Concept of Operations and to authorise, for an initial period of one year, the planned deployment of AFISMA, under Chapter VII of the United Nations Charter. Council, recalling paragraph 17 of communiqué PSC/PR/ COMM. (CCCXXIII), adopted at its 323rd meeting, held in New York, on 12 June 2012, **also urges** the

Security Council to authorise the establishment of a support package funded by the United Nations assessed contributions, in order to facilitate the speedy deployment and operations of MISMA;

10. **Requests** the Chairperson of Commission, within the framework of the African Peace and Security Architecture, to immediately initiate consultations with ECOWAS on the command and control of AFISMA, particularly the appointment of the main officials of the Mission, including the Special Representative, and the necessary coordination mechanisms with ECOWAS and other concerned stakeholders, to ensure an effective deployment and functioning of AFISMA. Council **requests** that these consultations be expedited within two (2) weeks from the date of this communiqué;

11. **Also requests** the Chairperson of the Commission, in consultation with ECOWAS to take the necessary measures for the generation of forces for AFISMA. Furthermore, Council **requests** the Chairperson of the Commission, in close consultation with ECOWAS, the EU and the UN, to contribute actively to the mobilization of adequate support for the Malian Defense and Security Forces, especially through the speedy organisation of a donors' conference. Council **reiterates its appeal** to the international community, including regional and international organisations, to give the necessary support to the Malian Defense and Security Forces, in conformity with the relevant provisions of resolution 2071 (2012), and **urges** the UN Security Council to establish a Trust Fund to this effect;

12. **Urges** all African States, including the countries of the region, the core countries and the other immediate neighbors of Mali, to contribute to the success of the planned operation, particularly through financial, logistical, technical, intelligence and troop contributions, as appropriate;

13. **Reiterates** the terms of paragraph 8 of its communiqué PSC/MIN/Comm.2(CCCXXXIX) on the need for the Malian authorities, prior to the submission by the UN Secretary-General of the report requested by the UN Security Council in paragraph 7 of resolution 2071 (2012), to take a number of measures, in order to enhance efforts aimed at resolving the crises in Mali, including: (a) the preparation, in consultation with ECOWAS and the AU, and with the support of the UN and other international partners, through broad-based national consultations, a detailed roadmap, with concrete steps and timelines, on the implementation of the two main transitional tasks; and (b) the establishment, as soon as possible, of the planned national structure to negotiate with the Malian armed groups in the north that are ready to enter into dialogue in order to find a political solution to the crisis, on the basis of the strict respect of the national unity and territorial integrity of Mali, rejection of terrorism and transnational organised crime, as well as armed rebellion, it being understood that negotiations cannot be open-ended;

14. **Takes note** of the statement made by the Interim President of the Republic of Mali confirming that the Roadmap for the Transition will be available in the next few days and

stresses, once again, the crucial importance of the consensual and inclusive preparation of this Roadmap for the mobilisation of the international community to support Mali;

15. **Endorses** the decision of ECOWAS that neither the Interim President nor the Prime Minister and other members of the Transitional Government can be candidates for the next presidential elections;

16. **Encourages, once again,** the core countries to intensify their efforts to combat terrorist and criminal networks, in particular through the Fusion and Liaison Unit (UFL) and the Joint Operational Chief of Staff Committee (CEMOC), and **calls for** a closer coordination between them and the other neighbours of Mali;

17. **Appeals** for increased regional and international support, so as to meet the immediate humanitarian needs in the north of Mali and in the neighboring countries hosting Malian refugees;

18. **Welcomes** the action already taken by the AU High Representative for Mali and the Sahel, former President Pierre Buyoya, in the fulfillment of his mandate, including his participation in the Extraordinary Summit of ECOWAS of 11 November 2012 and his current tour in the countries of the region;

19. **Requests** the Chairperson of the Commission to organize as soon as possible, in consultation with ECOWAS and the United Nations, a meeting of the Support and Follow-up Group, immediately after the submission by the UN Secretary General of the report requested under paragraph 7 of resolution 2071 (2012), in order to take stock of the evolution of the situation and further mobilize the international community in support of Africa's efforts;

20. **Decides** to remain actively seized of the matter.

United Nations S/2012/877

Security Council

Distr.: General
26 November 2012

Original: English

Report of the Secretary-General on the Sudan and South Sudan

I. Introduction

1. The present report is submitted pursuant to paragraph 5 of Security Council resolution 2046 (2012), in which the Council requested me to report, in consultation with the African Union High-level Implementation Panel, the Chair of the Intergovernmental Authority on Development (IGAD) and the Chairperson of the African Union Commission, on the status of the negotiations between the Sudan and South Sudan. The present report describes the status of the parties' compliance with that resolution through an evaluation of the security situation on the border between the two countries, a description of the agreements concluded between them on 27 September and an analysis of the outstanding issues. In the light of the communiqué issued by the Peace and Security Council of the African Union on 24 October, the present report takes into account the additional time that the Sudan and South Sudan were given to settle the disputed and claimed areas and agree on a process to determine the final status of Abyei, in addition to the time accorded to the Government of the Sudan and the Sudan People's Liberation Movement/North (SPLM/North) to engage in direct talks to agree on humanitarian access to, and the peaceful settlement of the conflict in, Southern Kordofan and Blue Nile States.

II. Background

2. Following the secession of South Sudan from the Sudan on 9 July 2011, a number of key issues between the two countries remained unresolved, including economic arrangements with regard to debt, oil exploitation and the use of existing oil infrastructure, the status of nationals of one country in the other, border security, the settlement of remaining border disputes and the determination of the final status of Abyei. To reach a settlement, the parties requested the African Union High-level Implementation Panel to facilitate negotiations on those issues. The office of my Special Envoy for the Sudan and South Sudan supported this effort and coordinated its activities with the Panel and other international partners. While negotiations continued, the relations between the two countries deteriorated owing to, among other things, unresolved security issues along a border still to be demarcated, financial issues relating to oil transit and processing fees, and accusations that each country was supporting and harbouring the other's rebel militias. Cross-border

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attacks, counter-attacks and aerial bombardments escalated throughout the first months of 2012.

3. Accordingly, the Panel brokered a memorandum of understanding on non-aggression and cooperation dated 10 February and several other agreements in March, which were to be endorsed and signed by the two Heads of State at a presidential summit early in April. On 10 April, however, following a series of skirmishes, the South Sudanese armed forces took Heglig, the site of the largest remaining oil field in the Sudan, allegedly in retaliation for cross-border bombing and incursions by the Sudanese armed forces. That cross-border conflict, the only confrontation between two States on the continent at that time, prompted the Peace and Security Council of the African Union to intervene and adopt a road map in its communiqué of 24 April, which was endorsed by the Security Council in its resolution 2046 (2012), adopted on 2 May.

4. The parties (the Sudan, South Sudan and SPLM/North) were thus requested to address security issues and finalize negotiations to resolve all differences between them peacefully. It was decided that the following actions should be taken with a view to their resolution within a period of three months:

(a) With regard to security issues, the Sudan and South Sudan should:

(i) Immediately cease all hostilities, including aerial bombardments;

(ii) Unconditionally withdraw all their armed forces to their side of the border;

(iii) Activate the Joint Border Verification and Monitoring Mechanism and the Safe Demilitarized Border Zone, in accordance with the administrative and security map presented to the parties by the Panel in November 2011;

(iv) Cease the harbouring of, or provision of support to, rebel groups against the other State;

(v) Activate the ad hoc committee, under the Joint Political and Security Mechanism, to receive and investigate complaints and allegations made by one party against the other;

(vi) Immediately cease hostile propaganda and inflammatory statements in the media, in addition to any attacks against property of and religious and cultural symbols belonging to the nationals of the other State;

(vii) Implement pending aspects of the Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011;

(b) The Sudan and South Sudan should resume negotiations to reach agreement on:

(i) Oil and associated payments;

(ii) Status of nationals of one country resident in the other;

(iii) Status of the disputed and claimed border areas;

(iv) Demarcation of the border;

(v) Final status of the Abyei Area;

(c) With regard to the conflict in Southern Kordofan and Blue Nile States, the Government of the Sudan and SPLM/North should:

(i) Reach a negotiated settlement on the basis of the Framework Agreement between the Government of the Sudan and the Sudan People's Liberation Movement (North) on Political and Security Arrangements in Blue Nile and Southern Kordofan States;

(ii) Accept the tripartite proposal submitted by the African Union, the United Nations and the League of Arab States to permit humanitarian access to the affected population in the two areas.

III. Security issues

5. The security situation along the border between the Sudan and South Sudan remained tense throughout the period under review but the number of reported cross-border incidents steadily decreased following the adoption of resolution 2046 (2012) by the Security Council. The continuing conflict in Southern Kordofan and Blue Nile States, in addition to the presence of the Darfur rebel groups, including the Justice and Equality Movement (JEM), alongside SPLM/North, compounded the situation. Many of the violations reported remained unconfirmed owing to the limited access of the United Nations Mission in South Sudan (UNMISS) to border areas in South Sudan and the lack of a United Nations presence on the Sudanese side of the border in Southern Kordofan and Blue Nile States. Only a few reported incidents were independently verified by the United Nations and are described below.

Cessation of hostilities and unconditional withdrawal

6. After the South Sudanese armed forces reported to UNMISS sporadic clashes between the Sudanese armed forces and their own units on the South Sudanese side of the border from 1 to 4 May, an UNMISS patrol to Lalop on 4 May confirmed the presence of three craters 24 km south of Tishwin and 34 km north of Bentiu, inside South Sudanese territory.

7. On 25 May, an UNMISS patrol in Rumaker, 12 km south of War Guit, a locality that lies within the disputed area between the Sudan and South Sudan, along the Eastern Darfur-Northern Bahr el Ghazal portion of the Kiir/Bahr el-Arab River, confirmed reports of displaced persons leaving the War Guit area owing to fighting between the South Sudanese and Sudanese armed forces. On 26 May, an inter-agency assessment team identified 2,620 displaced persons in Rumaker and 645 in the nearby village of War Lang. On the same day, according to the South Sudanese armed forces, an Antonov aircraft flew over Aweil town. United Nations staff also reported hearing the sound of an aircraft flying over Aweil that day.

8. Following a period of relative calm on the border with no reports of significant hostilities or aerial bombardments, UNMISS was informed by the South Sudanese armed forces that on 20 July the Sudanese armed forces had bombed Rumaker, injuring two civilians. UNMISS dispatched a patrol on 21 July and confirmed the presence of six bomb craters in Magak Donk, Northern Bahr el Ghazal State. UNMISS was informed that both casualties had been taken to Aweil hospital and

that one had succumbed to his injuries. The Sudanese authorities confirmed that bombing had taken place, but stated that it was against JEM troops who had just crossed into Sudanese territory from South Sudan in a convoy of more than 100 vehicles. The Government of the Sudan noted that it had previously informed the South Sudanese authorities that JEM members were about to cross from South Sudan into the Sudan and requested that South Sudan should prevent any such movement. The Government of the Sudan stated that, in the absence of any action by South Sudan, it had launched an operation in self-defence.

9. A number of other cross-border incidents reported by the Sudan and South Sudan could not be verified. At the same time, the Sudan continued to insist that the South Sudanese armed forces were occupying Samaha in South Darfur State and the crossing point at the bridge over the Kiir/Bahr el-Arab River, in addition to the south of Meiram and an area around Lake Abyad, both in Southern Kordofan State.

10. On 27 September, the parties signed an agreement on security arrangements in which they reaffirmed their commitment to renouncing war and to implementing all the security agreements and arrangements reached in previous negotiations, including agreements relating to the immediate withdrawal of any forces to their respective side of the border. Further details on the timetable and conditions for the withdrawal of forces are to be determined by the Joint Political and Security Mechanism. The Mechanism met in Juba from 5 to 7 November to determine modalities and take specific steps to implement all security agreements. It made some progress towards this objective and will seek to finalize work in this regard at a forthcoming meeting in Khartoum.

Activation of the Safe Demilitarized Border Zone, the Joint Border Verification and Monitoring Mechanism and the Ad Hoc Committee

11. In the agreement on security arrangements, the parties also agreed to make immediately operational the Safe Demilitarized Border Zone in accordance with the administrative and security map presented to them by the Panel in November 2011. The agreement makes provision for special arrangements for what is known as the "14-mile area", which involve its complete demilitarization, overseen and supported by the mechanisms established under the Joint Political and Security Mechanism. The parties agreed to maintain the status quo of the joint tribal mechanisms for the resolution of disputes between the Rizeigat and the Dinka Malual communities in the area and to immediately open the 10 agreed border-crossing corridors linking the two States.

12. The agreement further provides that the parties are to make the Joint Border Verification and Monitoring Mechanism operational immediately and activate the Ad Hoc Committee as a subcommittee of the Joint Political and Security Mechanism, designated to receive and investigate complaints and allegations made by one State against the other and to investigate any threats to those arrangements emanating from beyond the Safe Demilitarized Border Zone. Further details on the operationalization of the Joint Border Verification and Monitoring Mechanism, including the roll-out plan proposed by the United Nations Interim Security Force for Abyei (UNISFA), are yet to be agreed upon by the Joint Political and Security Mechanism, as described above.

Harbouring of and provision of support to rebels

13. Accusations that each side was harbouring and supporting the other's rebel groups were made to the Security Council by both sides during the period under review. With the renewed commitment of the parties to the Memorandum of Understanding on Non-Aggression and Cooperation of 10 February 2012, both parties also renewed their pledge to cease harbouring and supporting the other's rebel groups. Any progress in the implementation of this pledge has been difficult to verify in the absence of the full operationalization of the Ad Hoc Committee and the Joint Border Verification and Monitoring Mechanism. Each party continued to accuse the other throughout the reporting period. In fact, the issue of how to monitor compliance became the most contentious point, leading to a lack of progress on the implementation of the security agreement at the meeting of the Joint Political and Security Mechanism held in Juba in November.

Hostile propaganda

14. Since 2 May, hostile propaganda and inflammatory statements in the media have reduced significantly and no major incidents or attacks against property of and religious and cultural symbols belonging to the other State's nationals have been reported. There were, however, reports of destruction of church property and seizure of schools associated with South Sudanese nationals around Khartoum. In this regard, on 18 June, the Sudanese authorities reportedly dispatched bulldozers, under police protection, to destroy property belonging to the Episcopal Parish Church of Saint John in the Haj Yousif area of Khartoum. In addition, three schools owned by the Catholic Church, one in Omdurman and two in Mayo district, were reportedly taken over by the Sudanese authorities without explanation.

15. On 27 September, the parties also agreed to cease immediately all hostile propaganda and inflammatory statements in the media. In the weeks following the signing of the agreements, there were no reports of hostile propaganda or attacks against the property of and religious and cultural symbols belonging to the nationals of the other State.

Implementation of the Agreement of 20 June 2011

16. As previously reported by UNISFA, the deadlock in the implementation of the Agreement of 20 June 2011 continued. The parties are yet to agree on the elements necessary for the establishment of the Abyei Area Administration, the Abyei Area Council, the Abyei Police Service and the intergovernmental task force on humanitarian assistance. While the South Sudanese and Sudanese armed forces had withdrawn from the Abyei Area with UNISFA support by early May, a company-size unit of the Sudanese police remains deployed within the Diffra oil installations in violation of the Agreement. Progress in resolving the final status of the Abyei Area should greatly facilitate the implementation of the Agreement.

17. While UNISFA has been able to maintain security in the Abyei Area, the absence of the institutions stipulated in the Agreement puts a heavy burden on the Force, which is not equipped to deal with law and order and other administrative and social services such as the resettlement of returnees. On 24 April, recognizing the urgent need to implement the outstanding provisions of the Agreement, the Panel recommended to the Peace and Security Council of the African Union that the parties should implement the Agreement in its entirety, especially with regard to the

establishment of the Abyei Area Administration and Council. In its communiqué of 24 October 2012, the Peace and Security Council called upon the parties to implement immediately the Agreement in its entirety.

IV. Negotiations

18. Following the concerted international pressure emanating from the adoption by the Peace and Security Council of a road map and by the Security Council of resolution 2046 (2012), the parties resumed talks on 29 May in Addis Ababa. Although they thus stepped away from the brink of war and the security situation significantly improved in the following weeks and months, the parties did not reach agreement on all issues by the deadline of 2 August set in resolution 2046 (2012). Nevertheless, in addition to agreeing on an oil deal on 3 August, the two parties significantly narrowed their differences on all issues during the stipulated three-month period. Recognizing that important progress, and at the request of the Panel, the Peace and Security Council granted a six-week extension of the deadline in its communiqué of 4 August, a decision subsequently endorsed by the Security Council in its presidential statement of 31 August (S/PRST/2012/19).

19. The negotiations resumed on 4 September and concluded with the signing of nine agreements on 27 September: an overall cooperation agreement and eight detailed agreements on security arrangements, oil, trade, banking, specific economic matters, pensions, border issues and the status of one country's nationals in the other. The issues of the disputed and claimed border areas and the final status of the Abyei Area remain unresolved.

20. The overall cooperation agreement serves as an umbrella document for the other agreements and reaffirms the parties' commitment to the overriding principle of establishing the Sudan and South Sudan as two viable neighbouring States. The parties committed themselves to cooperating with each other for that purpose. The agreement envisages the holding of regular summit meetings, cooperation at the ministerial and technical levels and the establishment of dispute-resolution mechanisms.

21. The parties also agreed to ratify all the agreements signed on 27 September. In the weeks that followed, while strong opposition to some aspects of the agreements was voiced in Juba and Khartoum, the signature by the two Presidents provided the much-needed legitimacy that guaranteed their ratification by both parliaments. On 8 October, the President of the Sudan, Omer Hassan A. Al-Bashir, addressed the opening session of the Sudanese parliament and underscored the importance of cooperation and peaceful coexistence with South Sudan. The nine agreements were presented to the Sudanese parliament on 9 October and ratified on 17 October.

22. Similarly, the South Sudanese parliament convened an extraordinary session on 15 October to consider the nine agreements, after their endorsement by the Cabinet and the Council of States. The President of South Sudan, Salva Kiir, and the Speaker of the National Legislative Assembly, James Wani Igga, strongly supported the ratification of the agreements and responded to public criticism and misunderstandings relating to the implementation of what is known as the "four freedoms agreement" (see para. 27) and the demilitarization of the 14-mile area. The agreements were ratified by the parliament on 16 October.

Oil and associated payments

23. The Governments of the Sudan and South Sudan concluded a comprehensive agreement on oil and related economic matters, providing for the resumption of oil production by South Sudan, giving South Sudan access rights to Sudanese processing and transport facilities and setting the corresponding transit and processing fees. Consequently, oil production is expected to resume as soon as it is technically feasible. In view of the economic hardships faced by both countries, such resumption will be to their mutual benefit and provide much-needed resources to strengthen their economies. The parties have also agreed to unconditionally cancel and forgive claims of oil-related arrears and other outstanding oil-related financial claims.

24. Taking into account the financial impact of the secession of South Sudan on the Sudanese economy, the agreement also provides for a transfer of $3.028 billion from South Sudan to the Sudan over the coming three and a half years. Lastly, to oversee the implementation of the agreement, the two States agreed to establish a petroleum monitoring committee constituted of representatives of the Sudan and South Sudan and chaired by a nominee of the African Union Commission.

25. At the time of signature, the Sudan and South Sudan could not agree on the transfer of rights with regard to the participating interests of the Sudan National Petroleum Corporation in exploration and production-sharing agreements within South Sudan. They did agree, however, to continue discussions on the issue with a view to reaching an agreement within two months.

Economic, trade and banking issues

26. The Sudan and South Sudan reached agreements on various economic issues, central banking and trade, in addition to a framework agreement to facilitate the payment of post-service benefits for civil servants. Ministerial-level and technical-level committees have been envisaged to ensure their implementation. The parties reaffirmed the principle of mutual forgiveness with regard to State-to-State arrears and claims, in addition to agreeing on the use of regular legal procedures and mechanisms to address private claims of arrears, including pension rights. Furthermore, to narrow the financial and fiscal gap resulting from the secession of South Sudan, the Governments agreed on a joint international approach to secure international debt relief and financial support for the Sudan as part of a package of measures alongside the transitional financial arrangements.

Status of nationals

27. The parties also signed the "four freedoms agreement", a framework agreement on the status of nationals of the other State and related issues, which they had previously initialled on 13 March. It provides for stronger legal protection for nationals of one State residing within the territory of the other, including the freedom of movement, work, residence and property ownership. The parties also agreed to enhance cooperation to provide nationals of each State with all documentation, including identification and work permits, necessary to facilitate integration.

28. The parties further agreed to establish a joint high-level committee chaired by the respective ministers of the interior, which would oversee the adoption and

implementation of those measures relating to each other's nationals residing in the other State. The committee has yet to meet, although scheduled to do so within two weeks of the ratification of the agreement.

Border

29. The agreement on border issues is a consolidation of a range of issues relating to the overall management of the border (the area either side of the boundary between the two States). Two key principles are adopted therein: a "soft border" and an integrated border management approach. The former will ensure a peaceful, safe and secure border between which the flow of people, trade and livestock will remain unhindered. The agreement makes special arrangements for transhumance (seasonal movement of livestock for pasture) and guarantees the continuance of nomadic livelihoods. The principles of the integrated border management approach will foster better coordination and management of various activities along the border, under the oversight of a joint border commission and with the participation of all key actors, including the border communities.

30. To reinforce a wider common management approach to implementation, the parties agreed to establish a joint border commission co-chaired at the ministerial level and supported by a number of subcommittees to assist in its functions, including on aspects relating to socioeconomic issues, transboundary resource management, border development and infrastructure, and legal and judicial matters.

31. The parties reaffirmed their commitment to joint demarcation of their common border, originally initialled as the Agreement on the Demarcation of the Boundary on 13 March. To facilitate and oversee demarcation activities, the parties committed themselves to making the necessary institutional arrangements, including the establishment of a joint demarcation committee and a joint technical committee.

Disputed and claimed border areas

32. The significant progress in narrowing the gaps between their positions notwithstanding, the parties were unable to settle the disputed and claimed border areas as stipulated in the road map adopted by the Peace and Security Council and in Security Council resolution 2046 (2012). The Panel made several proposals to comprehensively address both the disputed and claimed areas on the basis of the Comprehensive Peace Agreement of 2005 and other documents concluded during the interim period.

33. Negotiations became deadlocked over the characterization of Kaka, one of the five disputed areas identified by the Technical Boundary Committee and the Joint Political Committee established under the Comprehensive Peace Agreement. The disagreement revolves around whether Kaka refers only to Kaka town, as argued by South Sudan, or to Kaka area, as maintained by the Sudan, which would significantly affect the size of the territory under review. The parties were unable to resolve the question, reference to historical records and documents from the interim period notwithstanding.

34. That deadlock has also impeded the finalization of the terms of reference of the team of experts appointed by the African Union. The team is tasked with providing an authoritative but non-binding opinion on the disputed areas so as to assist in resolving the issue. The parties are either to consider the team's opinion or

to continue negotiating on another basis, including the possibility of reverting to arbitration.

35. With regard to the areas at issue, the parties could also not agree on the timing of the process. While they agreed to accord priority to the disputed areas, the disagreement lies in whether the claimed areas should be dealt with in parallel with (position of South Sudan) or after (position of the Sudan) the settlement of the disputed areas. The Panel proposed that, while each party should be able to present claims through the Panel, those claims would be considered only after the team of experts had rendered its opinion on the disputed areas (expected by the end of 2012) and that opinion had been considered by the parties.

36. During the ministerial meeting of the Peace and Security Council on 24 October, the Panel suggested that the parties should be allowed two additional weeks to complete their negotiations on how to settle the issues surrounding the disputed and claimed areas, a suggestion that was endorsed by the Council in its communiqué. The Panel suggested that, if the Governments were unable to reach agreement by the specified time, the team of experts should begin its work as described in its draft terms of reference, leaving aside only the issue of Kaka. In its communiqué of 24 October, the Council endorsed the draft terms of reference, urged the parties to collaborate with the team of experts and called upon them to accord the team all the necessary cooperation in the conduct of its work.

37. While the positions of the parties on both issues remain divergent, the differences are not insurmountable. Both negotiating teams agreed to reconvene within one month of the signing of the agreements to discuss the Kaka issue and the process for resolving the status of the claimed border areas as stipulated in the decision of the Peace and Security Council.

Final status of the Abyei Area

38. Following the rejection of several of the Panel's proposals on the matter in 2010 and 2011, and in the light of the parties' inability to agree on an alternative, the Presidents of the Sudan and South Sudan requested the Panel to submit a single proposal to resolve the final status of the Abyei Area. On 21 September, on the basis of existing agreements between the parties, the Panel presented a comprehensive process to the Presidents that would allow for the determination of the final status of the territory.

39. In its proposal, the Panel suggested that a referendum should be conducted in October 2013, prepared by a joint referendum commission chaired by a nominee of the African Union. Eligible voters would be residents of the Abyei Area, while the commission would ascertain voter eligibility and compile the electoral roll. Special status would be accorded to Abyei even after the referendum, enshrined in the constitution of the country to which its population would choose to belong. Pastoralist rights would also be protected by law. A joint request to international donors would support the socioeconomic development of Abyei, the adjacent localities in Southern Kordofan and the adjoining states of South Sudan, while the revenue from oil extracted from Abyei would be shared between Abyei, Southern Kordofan and the national Government.

40. While the Government of South Sudan accepted the proposal in its entirety, the Government of the Sudan rejected some of its provisions, in particular the proposed

terms for voter eligibility and the suggestion that the chair of the referendum commission would be an international figure appointed by the African Union. When the parties could not reach a common position, the President of the Sudan sought an extension of six weeks to discuss the issue further. The Panel recommended that the extension should be granted. The Peace and Security Council accepted and commended the proposal, deciding to accord the parties the requested additional six weeks to reach agreement. In accordance with the Council's communiqué of 24 October, the proposal will be adopted as final and binding unless the two parties manage to agree on an alternative. The Chair of the Panel has written to both Presidents to indicate that, given that the Panel has no further proposals to offer and thus cannot facilitate further meetings, the parties should meet bilaterally to consider the issue. To date, however, the two Presidents have taken no steps to discuss the issue further. The Government of the Sudan continues to issue statements, including through the President, in which it states that the proposal cannot be accepted as it stands.

V. Conflict in Southern Kordofan and Blue Nile States

41. The fighting in Southern Kordofan and Blue Nile States between the Sudanese armed forces and SPLM/North continued throughout the reporting period and is expected to intensify with the end of the rainy season. The reports of violence, including aerial bombardments, have proved difficult to verify independently in view of the remoteness of many of the locations involved and the lack of a United Nations presence there.

42. In June, in Southern Kordofan, populations from Kafina (Buram locality), Al Dorat and Ad-Dandor (Reif Ashargi locality), Reif Elgarb, Shat, Kurungu and Al Reika (Buram locality) and Talodi and Balonya (Kadugli locality) fled fighting between the Government of the Sudan and SPLM/North and aerial bombardment by the Sudanese armed forces. On 5 June, JEM, which is allied with SPLM/North, reportedly attacked the villages of Almajror and Abu Rai in Ghubaysh locality (approximately 294 km south-west of El Obeid, Northern Kordofan), looting local markets and hijacking commercial trucks heading to Darfur. On 23 July, local media reported an armed clash between the Sudanese armed forces and JEM and the Sudan Revolutionary Front in Et Tibbun (approximately 30 km north-west of El Muglad, Northern Kordofan).

43. Early in August, further displacement took place following fighting in El Moreib and El Abassiya town (El Abbasiya locality). On 4 August, the World Food Programme reported that one of its staff members had been killed and another seriously injured after an attack by unidentified gunmen in the vicinity of Hilat Yatu (approximately 80 km north of Kadugli). Late in August, armed clashes continued near Abu Kershola in Rashad and El Moreib (El Abassiya locality). On 6 September, the Sudanese armed forces and SPLM/North reportedly clashed near the village of Hajar Al-Dom, approximately 30 km north-east of Kalogi town, resulting in the death of 21 civilians. The media also reported clashes near the village of Doka (approximately 13 km south of Kadugli) on 7 September. On 9 September, clashes between the Sudanese armed forces and JEM were reported in El Muglad and El Dibb, north-west Southern Kordofan. Early in October, media reports cited clashes between the Sudanese armed forces and SPLM/North in Kologi, Annagarko and Hgerjawad.

44. On 8 October, SPLM/North took responsibility for the firing of six mortar shells on the town of Kadugli. Official media claimed that the attack had killed seven women and children. A mortar round landed on the compound of the United Nations Children's Fund, but did not explode. All United Nations staff members at the compound were subsequently relocated to the nearby UNISFA logistics base. On 23 October, Sudanese armed forces aerial bombardments were reported in the vicinity of Kadugli. SPLM/North subsequently fired several mortar shells on Kadugli, including two that landed just south of the Fund compound.

45. In May and June, the Sudanese armed forces and SPLM/North repeatedly clashed along the Kurmuk-Ed Damazine road in the areas of Dindiro, Ullu and Shali, Blue Nile State. In addition, Sudanese armed forces aerial bombardments took place in Dindiro, Ullu and Baldogo. In the second half of June and July, the Sudanese armed forces and SPLM/North clashed in the vicinity of Kurmuk, Deim Mansur and Yabus. Fighting was also reported in Al Kelli (approximately 80 km south of Ed Damazin), Bagis (approximately 45 km south-east of Ed Damazin), in the area of the Falako mountains (40 km east of Geissan town in Geissan locality) and Derang (approximately 70 km south of Ed Damazin). Early in October, fighting between the Sudanese armed forces and SPLM/North in the area of Surkum (approximately 50 km north of Kurmuk) was reported by both sides through the media. Fighting continues in both Southern Kordofan and Blue Nile States.

Humanitarian access

46. Because of the sustained fighting, the humanitarian situation in Southern Kordofan and Blue Nile States has continued to worsen. United Nations agencies confirm that some 100 Sudanese refugees continue to arrive every day from Southern Kordofan into Unity and Upper Nile States in South Sudan. These numbers are expected to increase in the coming weeks because the end of the rainy season will open roads and ease travel. According to the Office of the United Nations High Commissioner for Refugees, there are more than 174,000 refugees in South Sudan and 38,700 in Ethiopia from the two states. The number of internally displaced persons remains unknown owing to the lack of access to the areas in question.

47. With regard to the provisions of the road map relating to Southern Kordofan and Blue Nile States, the tripartite partners (the African Union, the League of Arab States and the United Nations) signed two memorandums of understanding: one with the Government of the Sudan, on 5 August, and the other with SPLM/North, on 4 August. These memorandums outline how the three organizations would independently assess, deliver and monitor humanitarian assistance to affected civilians in the areas held by SPLM/North in the two states.

48. While the process of developing operational plans and needs assessments was to begin within one week of the signing of the memorandums, that the organizations did not immediately deploy new personnel and lengthy procedural processes led to delays. Following technical meetings in August and September, the organizations submitted the latest draft humanitarian delivery and assessment plan based on Government data to the Sudanese authorities on 8 October. A similar plan was presented to SPLM/North on 24 September, in which assessment and delivery options in the areas under the Movement's control were set out. SPLM/North responded negatively to the latest draft proposal on 9 October, arguing that it had

come too late after a promise and agreement to establish a speedier timeline. The Movement had initially proposed instead a high-level meeting with the three organizations and the Government under the auspices of the Panel and IGAD, but subsequently informed the tripartite team that it would accept a meeting to discuss the plan of action. The tripartite team is awaiting the confirmation of a date and venue in order to convene the meeting.

49. SPLM/North has, meanwhile, been expressing its frustration with the delay in humanitarian delivery in the areas that it controls since it signed the tripartite proposal in February. It blames the Government of the Sudan for intentional procrastination and has increased its calls for cross-border delivery, which the Government has accused some non-governmental organizations of already carrying out illegally. The Government, on the other hand, accuses SPLM/North of preventing civilians in need from coming to the Government-controlled safe areas away from the war zone to receive food that it is ready to distribute. The situation thus remains mired in unending bureaucratic processes.

50. The memorandums have remained difficult, if not impossible, to implement in the current state of unchecked fighting. While SPLM/North had agreed to a cessation of hostilities to allow humanitarian access, the Government of the Sudan provided only for humanitarian corridors during the process of assessment and distribution of humanitarian assistance, not a general ceasefire. The Panel and the three organizations have thus been pressing the two parties to initiate direct talks and to agree to an immediate cessation of hostilities as a first step, which would greatly facilitate humanitarian access to areas held by SPLM/North, in addition to providing an environment conducive to progress in talks at the political level.

Negotiated settlement

51. With regard to a negotiated settlement, the Panel brought together SPLM/North and the Government of the Sudan on 26 July for negotiations on political and security issues underlying the continuing conflict in Blue Nile and Southern Kordofan States. At the outset, both sides insisted on proximity talks and presented preconditions for engaging in direct talks. The Government of the Sudan insisted on the military and political disengagement of SPLM/North from South Sudan and opposed the return to the Agreement of 28 June 2011, which it had repudiated shortly after its signature. SPLM/North argued that it had disengaged from South Sudan politically and militarily when South Sudan became independent on 9 July 2011 and should therefore be regarded as a legal political party in the Sudan before it would engage in talks with the Government. On 16 September, the Panel submitted a draft proposal for a political solution based on the Agreement of 28 June 2011, reflecting the above-mentioned views and the changed circumstances and current realities on the ground. The parties did not meet in direct talks before the meeting of the Peace and Security Council on 24 October, during which the Council endorsed the Panel's draft proposal and requested the parties to begin direct negotiations, facilitated by the Panel with the support of the Chair of IGAD, no later than 10 November. That meeting has not yet taken place, although neither party has rejected the Council's decision in principle. The Panel is endeavouring to set a date suitable for both parties.

VI. Observations

52. Since the Security Council and the Peace and Security Council joined efforts to prevent an escalation of the crisis, the Sudan and South Sudan have stepped away from direct confrontation and returned to peaceful dialogue to resolve the outstanding peace, security and economic issues between them. Indeed, following the adoption of the road map of the Peace and Security Council and resolution 2046 (2012), the two parties have maintained relative calm around their common border and made significant progress in improving their relations. Their concerted efforts to find lasting solutions led, with the facilitation of the Panel and the support of the international community, to the signing of nine agreements between the two countries on 27 September in Addis Ababa. I congratulate both Presidents and their negotiating teams on their leadership in reaching agreement on these important issues. I also wish to reiterate my gratitude to the Panel for its able leadership and tireless efforts in assisting the two parties to reach these agreements. If properly implemented, they will play a decisive role in guiding the cooperation and development of the two countries and peoples.

53. The agreements on security, economic relations and the common border are key steps towards a stable and prosperous future for both countries. It is encouraging that both parliaments have ratified all agreements. It is now crucial that the parties use the positive spirit created by these agreements to maintain momentum and work towards their full and expeditious implementation. The actual establishment of the Safe Demilitarized Border Zone and the operationalization of the Joint Border Verification and Monitoring Mechanism is a critical immediate step in this regard. I welcome the meeting of the Joint Political and Security Mechanism held from 5 to 7 November in Juba as an important and welcome step towards this end. I urge both sides to expeditiously move towards the practical implementation of their security agreement.

54. The Sudan and South Sudan must also continue their efforts to reach agreement on the processes designed to address the claimed and disputed border areas and the future status of the Abyei Area. I concur with the Panel that the gaps between the parties on these issues are not unbridgeable and that the parties should use the pertinent proposals forwarded by the Panel and endorsed by the Peace and Security Council to again prove that they can overcome their differences for the sake of peace and the common good.

55. Both the Peace and Security Council and the Security Council have raised the importance of addressing the threats posed by the war in Southern Kordofan and Blue Nile States. As an unfinished chapter of the Comprehensive Peace Agreement of 2005, the war continues to have important implications for the relations between the Sudan and South Sudan and their security. The agreements between the two countries to neither support nor harbour each other's rebels and the mechanisms that they have agreed to establish to ensure compliance are welcome. Nevertheless, the security situation in those states remains extremely volatile. The war there continues with devastating consequences, in particular for civilians in the conflict zone. Thousands have fled for safety and sustenance to Ethiopia and South Sudan.

56. I regret that the memorandums of understanding signed by the African Union, the United Nations and the League of Arab States separately with the Government of the Sudan and SPLM/North to provide humanitarian assistance to civilians

trapped in the war zone have not been implemented. The two sides have not agreed on the means to create an atmosphere conducive to the safe and unfettered delivery of such assistance.

57. The human suffering in Southern Kordofan and Blue Nile States is a direct consequence of the conflict in those areas. Only a resolution to the conflict can stop the humanitarian crisis. It is abundantly clear that a ceasefire agreed through direct talks is critical to resolving the conflict peacefully and to allowing the humanitarian consequences to be addressed. The African Union, the United Nations and the League of Arab States will, of course, continue to urge both sides to clear procedural obstacles to enable the swift assessment of needs and the delivery of humanitarian relief to those in the conflict zone, consistent with the existing memorandums signed separately with both sides. Experience to date has not, however, proved encouraging. I urge the Security Council to reinforce my call upon the parties for an immediate cessation of hostilities that would allow safe humanitarian access and an atmosphere conducive to a peaceful resolution of the conflict, as stipulated in resolution 2046 (2012).

58. I welcome and commend the commitment to bilateral cooperation and the building of two viable States displayed by both Presidents since 27 September. Both countries have done much to ensure the necessary acceptance of the agreements by their respective constituencies, significant internal resistance notwithstanding. There is every reason to expect that, with such commitment, the two Presidents can lead the smooth implementation of the agreements already signed and conclude those that remain outstanding. The firm guidance of the Peace and Security Council, supported by the Security Council, and the continued engagement of the Panel will be needed to provide continuous encouragement and assistance to both leaders. I remain fully committed, both personally and through the efforts of my Special Envoy in support of the Panel, to help the two parties to finalize their agreements. The United Nations stands ready to assist in the implementation of these agreements in collaboration with all key partners.

59. I wish to extend my gratitude to former Presidents Thabo Mbeki, Pierre Buyoya and Abdulsalami Abubakar for their sustained efforts as the members of the Panel to assist the two parties in resolving their persistent differences. I wish to pay a special tribute to the Government of Ethiopia and, in particular, to the late Prime Minister, Meles Zenawi, and the current Prime Minister, Hailemariam Dessalegn, for their important role in efforts to stabilize the region and improve relations between the Sudan and South Sudan. The contribution of Ethiopia proved critical during the last months of negotiations and remains important for UNISFA. In this regard, I should also like to extend my gratitude to the Head of Mission and Force Commander of UNISFA, Tadesse Werede Tesfay.

60. Lastly, I should like to express my deep appreciation to my Special Envoy, Haile Menkerios, and his staff for their unfaltering commitment to the negotiations and their efforts to enhance peace and stability both within and between the Sudan and South Sudan.

United Nations A/67/588–S/2012/878

General Assembly
Security Council

Distr.: General
26 November 2012

Original: English

General Assembly
Sixty-seventh session
Agenda items 34, 39, 67 and 83

Security Council
Sixty-seventh year

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

The rule of law at the national and international levels

Letter dated 22 November 2012 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In accordance with instructions received from the Government of the Republic of Azerbaijan, I have the honour to draw your attention to the ongoing violations of the ceasefire by the armed forces of the Republic of Armenia recorded for September and October 2012 (see annex). According to the annexed information, during the reporting period, the armed forces of Armenia continued intensive fire from their positions in the occupied territories of Azerbaijan and from the territory of Armenia.

The aforementioned period was also marked by a series of large-scale military exercises conducted by the armed forces of Armenia, both in Armenia and in the occupied territories of Azerbaijan. During those exercises, recently acquired sophisticated weapons, including ballistic missiles, were used by the armed forces of Armenia. Moreover, according to the Head of the Operational Department at the General Staff of the Republic of Armenia's Armed Forces, Major-General Artak Davtian, the armed forces of Armenia simulated missile attacks on military targets as well as on oil and gas installations in Azerbaijan and in other countries of the region. Such activities have once again demonstrated the serious threat to peace, security and stability in the region of the South Caucasus posed by Armenia's militaristic policy.

I would also like to draw your attention to the fact that, during the reporting period, President and Commander-in-Chief Serzh Sargsyan of Armenia and that

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country's other high-ranking political and military officials visited the occupied territories of Azerbaijan to observe military exercises there. Serzh Sargsyan's appearance before the occupation troops in military uniform, decorating personally the servicemen who participated in the exercises, and his presence at the opening ceremony of new military barracks and at a meeting with military staff represent further factual evidence exploding the myth that Armenia has nothing to do with the aggression against Azerbaijan and the occupation of its territories.

Thus, in his speech before the occupation troops, full of the usual stereotypic concoctions so characteristic of the Armenian leadership, the President and Commander-in-Chief of Armenia noted that what the Armenian troops had demonstrated that day had filled his heart and soul with pride and delight. He further said that "just as yesterday and today, tomorrow, too, you will have the most contemporary combat weaponry" (see the President of Armenia's official website, http://www.president.am/en/press-release/item/2012/10/23/President-Serzh-Sargsyan-working-visit-Artsakh-military-exercises). In other words, while Armenia's other official sources, including that country's Permanent Mission to the United Nations, continue their tireless efforts to prevent any mention of their country in international documents even as a party to the conflict, the President and Commander-in-Chief of Armenia has once again unambiguously confirmed that his armed forces are present in the occupied territories of Azerbaijan, that they conduct military exercises in those territories, and that Armenia continues to deploy, beyond international control, a great number of armaments and ammunitions there.

The Republic of Azerbaijan expresses its strong protest against the provocative actions of the Armenian leadership, which are aimed at challenging the ongoing conflict settlement process and provoking the destabilization of the situation. We consider the aggressor's impertinent behaviour as a direct consequence of the impunity it is still enjoying despite apparent gross violations of international law and atrocious crimes for which Armenia bears responsibility. Her political and military leadership, including in the first place the current and previous Presidents, military officials and commanders, as well as the members of the puppet separatist regime established by Armenia in the occupied territories of Azerbaijan, must be held accountable and brought to justice. The more the leadership of Armenia throws aside all restraint, the narrower the prospects become for the soonest achievement of a lasting and durable peace in the region. We call upon all peace-loving countries to raise their voices in condemnation of Armenia's continuing aggression against Azerbaijan and her odious policy of hatred and confrontation.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 34, 39, 67 and 83, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

Annex to the letter dated 22 November 2012 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Violation of the ceasefire by the armed forces of the Republic of Armenia* for September and October 2012

No.	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
1	2-3 September	At different times	Occupied areas near Kuropatkino village (Khojavand district, Azerbaijan), Tapgaragoyunlu village (Goranboy district, Azerbaijan), Bash Garvand and Garagashly villages (Aghdam district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
2	3-4 September	At different times	Occupied areas near Merzili, Yusifjanly, Novruzlu and Shykhlar villages (Aghdam district, Azerbaijan) and unnamed heights (Khojavand district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
3	4-5 September	At different times	Occupied areas near Merzili, Yusifjanly, Novruzlu, Shirvanly and Shykhlar villages (Aghdam district, Azerbaijan), Kuropatkino village (Khojavand district, Azerbaijan), Tapgaragoyunlu village (Goranboy district, Azerbaijan), Gorgan village and unnamed heights (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
4	5-6 September	At different times	Unnamed heights (Berd district, Armenia), occupied areas near Horadiz village and unnamed heights (Fizuli district, Azerbaijan), Merzili, Javahirli and Shykhlar villages (Aghdam district, Azerbaijan), Tapgaragoyunlu village and unnamed heights (Goranboy) and Khojavand districts, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
5	6-7 September	At different times	Voskevan and Berdavan villages (Noyemberyan district, Armenia), Azatamut and Berkaber villages, (Ijevan district, Armenia), occupied areas near Shurabad and Yusifjanly villages (Aghdam district, Azerbaijan), Tapgaragoyunlu village (Goranboy district, Azerbaijan), Ashaghy Seyidahmedli and Garakhanbeyli villages (Fizuli district, Azerbaijan) and unnamed heights (Khojavand and Goranboy districts, Azerbaijan)	Adjacent areas	Firearm and machine gun	–

* Settlements of the Republic of Azerbaijan included in this information are under occupation by the Republic of Armenia or situated close to the fire point areas.

No.	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
6	7-8 September	At different times	Occupied areas near Yusifjanly and Shirvanly villages (Aghdam district, Azerbaijan), Tapgaragoyunlu village (Goranboy district, Azerbaijan), Gorgan village (Fizuli district, Azerbaijan), Kuropatkino village (Khojavand district, Azerbaijan) and unnamed heights (Fizuli, Khojavand and Goranboy districts, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
7	9-10 September	At different times	Shavarshavan village (Noyemberyan district, Armenia), occupied areas near Kuropatkino village (Khojavand district, Azerbaijan), Shykhlar and Mezrzili villages (Aghdam district, Azerbaijan) and unnamed heights (Geranboy and Fizuli districts, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
8	10-11 September	At different times	Unnamed heights (Krasnoselsk and Berd districts, Armenia), the area near Voskevan village (Noyemberyan district, Armenia), occupied areas near Ashaghy Seyidahmedli village (Fizuli district, Azerbaijan), Yusifjanly village (Aghdam district, Azerbaijan), Kuropatkino village (Khojavand district, Azerbaijan), Chilyabert village (Tar-Tar district, Azerbaijan) and Tapgaragoyunlu village (Goranboy district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
9	11-12 September	At different times	Occupied areas near Kuropatkino village (Khojavand district, Azerbaijan), Chilyabert village (Tar-Tar district, Azerbaijan), Ashaghy Seyidahmedli and Horadiz villages and unnamed heights (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
10	12-13 September	At different times	Occupied areas near Kuropatkino village (Khojavand district, Azerbaijan), Ashaghy Seyidahmedli village (Fizuli district, Azerbaijan), Shykhlar and Yusifjanly villages (Aghdam district, Azerbaijan) and unnamed heights (Goranboy district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
11	13-14 September	At different times	Occupied areas near Bash Garvand village (Aghdam district, Azerbaijan), Ashaghy Seyidahmedli and Horadiz villages and unnamed heights (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
12	14-15 September	At different times	Occupied areas near Kuropatkino village (Khojavand district, Azerbaijan), Merzili and Javahirli villages (Aghdam district, Azerbaijan) and unnamed heights (Fizuli and Goranboy districts, Azerbaijan)	Adjacent areas	Firearm and machine gun	–

No	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
13	16-17 September	At different times	The areas near Berkaber village (Ijevan district, Armenia), Voskevan village (Noyemberyan district, Armenia) and occupied areas near Shykhlar village (Aghdam district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
14	17-18 September	At different times	The area near Berkaber village (Ijevan district, Armenia)	Adjacent areas	Firearm and machine gun	–
15	18-19 September	At different times	The area near Voskevan village (Noyemberyan district, Armenia), occupied areas near Kuropatkino village (Khojavand district, Azerbaijan), Merzili and Shykhlar villages (Aghdam district, Azerbaijan) and unnamed heights (Dashkesen and Goranboy districts, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
16	20-21 September	At different times	The area near Berkaber village (Ijevan district, Armenia), unnamed heights (Krasnoselsk district, Armenia), occupied areas near Kuropatkino village (Khojavand district, Azerbaijan), Shykhlar, Javahirli and Shurabad villages (Aghdam district, Azerbaijan) and unnamed heights (Goranboy district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
17	21-22 September	At different times	The areas near Vozashen village (Ijevan district, Armenia), Mosesgerkh village (Berd district, Armenia), occupied areas near Kuropatkino village (Khojavand district, Azerbaijan), Merzili and Garagashly villages (Aghdam district, Azerbaijan) and Ashaghy Seyidahmedli village (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
18	23-24 September	At different times	Unnamed heights (Berd district, Armenia), Voskevan village (Noyemberyan district, Armenia), occupied areas near Shykhlar village (Aghdam district, Azerbaijan), Kuropatkino village (Khojavand district, Azerbaijan), Tapgaragoyunlu village (Goranboy district, Azerbaijan) and unnamed heights (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
19	24-25 September	At different times	The area near Berkaber village (Ijevan district, Armenia), occupied areas near Merzili village (Aghdam district, Azerbaijan) and Ashaghy Abdulrahmanly, Ashaghy Seyidahmedli and Horadiz villages (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–

No.	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
20	25-26 September	At different times	Occupied areas near unnamed heights (Khojavand district, Azerbaijan), Merzili and Bash Garvand villages (Aghdam district, Azerbaijan) and Tapgaragoyunlu village (Goranboy district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
21	26-27 September	At different times	The area near Gigarkh village (Berd district, Armenia), Barekamavan and Voskevan villages (Noyemberyan district, Armenia), occupied areas near unnamed heights (Khojavand and Goranboy districts, Azerbaijan), Yusifjanly and Shykhlar villages (Aghdam district, Azerbaijan) and Ashaghy Abdulrahmanly and Horadiz villages (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
22	27-28 September	At different times	Occupied areas near Tapgaragoyunlu village (Goranboy district, Azerbaijan), Gorgan village (Fizuli district, Azerbaijan) and unnamed heights (Khojavand district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
23	28-29 September	At different times	Occupied areas near Shurabad and Shykhlar villages (Aghdam district, Azerbaijan) and Ashaghy Seyidahmedli and Horadiz villages (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
24	30 September-1 October	At different times	Occupied areas near Ashaghy Seyidahmedli and Gorgan villages (Fizuli district, Azerbaijan) and unnamed heights (Khojavand district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
25	1-13 October	–	Armed forces of Armenia conducted large-scale military exercises in the occupied territories of Azerbaijan	–	Artillery, armoured units, as well as firearm and machine gun	–
26	1-2 October	Evening and night hours	The area near Berkaber village (Ijevan district, Armenia), occupied areas near Shykhlar village (Aghdam district, Azerbaijan) and unnamed heights (Geranboy district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
27	2-3 October	At different times	Occupied areas near Tapgaragoyunlu village (Goranboy district, Azerbaijan) and unnamed heights (Khojavand district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–

No.	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
28	3-4 October	At different times	The area near Berkaber and Paravakar villages (Ijevan district, Armenia), occupied areas near Merzili and Javahirli villages (Aghdam district, Azerbaijan), Kuropatkino village (Khojavand district, Azerbaijan), Tapgaragoyunlu village (Goranboy district, Azerbaijan) and unnamed heights (Goygol district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
29	4-5 October	At different times	Occupied areas near Yusifjanly village (Aghdam district, Azerbaijan) and Kuropatkino village (Khojavand district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
30	5-6 October	At different times	Occupied areas near Shykhlar village (Aghdam district, Azerbaijan), Kuropatkino village (Khojavand district, Azerbaijan) and unnamed heights (Fizuli and Goranboy districts, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
31	7-8 October	At different times	Occupied areas near Chayly village (Tar-Tar district, Azerbaijan), Kuropatkino village (Khojavand district, Azerbaijan) and Tapgaragoyunlu village and unnamed heights (Goranboy district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
32	8-9 October	At different times	Unnamed heights (Krasnoselsk district, Armenia), occupied areas near Merzili and Yusifjanly villages (Aghdam district, Azerbaijan), Chilyabert and Chayly villages (Tar-Tar district, Azerbaijan), Mehdili village (Jabrayil district, Azerbaijan) and Tapgaragoyunlu village and unnamed heights (Goranboy district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
33	9-10 October	At different times	Occupied areas near Garagashly village (Aghdam district, Azerbaijan) and unnamed heights (Fizuli and Dashkesen districts, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
34	10-11 October	At different times	The area near Barekamavan village (Noyemberyan district, Armenia), Tapgaragoyunlu village (Goranboy district, Azerbaijan) and Chilyabert village (Tar-Tar district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–

No.	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
35	11-12 October	At different times	The area near Voskevan village (Noyemberyan district, Armenia), occupied areas near Merzili, Yusifjanly, Garagashly and Saryjaly villages (Aghdam district, Azerbaijan), Goyarkh and Chayly villages (Tar-Tar district, Azerbaijan), Mehdili village (Jabrayil district, Azerbaijan), Gulustan village (Goranboy district, Azerbaijan), Kuropatkino village (Khojavand district, Azerbaijan) and Horadiz village (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
36	12-13 October	At different times	The area near Berkaber village (Ijevan district, Armenia), occupied areas near Shirvanly village (Aghdam district, Azerbaijan), Tapgaragoyunlu village (Goranboy district, Azerbaijan) and unnamed heights (Dashkesen district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
37	14-15 October	At different times	Berkaber village (Ijevan district, Armenia), unnamed heights (Krasnoselsk district, Armenia), occupied areas near Shykhlar village (Aghdam district, Azerbaijan), Tapgaragoyunlu village (Goranboy district, Azerbaijan), Kuropatkino village (Khojavand district, Azerbaijan) and Horadiz, Ashaghy Abdulrahmanly villages and unnamed heights (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
38	15 October	At different times	Occupied areas near Chayly village (Tar-Tar district, Azerbaijan) and Mehdili village (Jabrayil district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
39	16-17 October	At different times	Occupied areas near Kuropatkino village (Khojavand district, Azerbaijan), Goyarkh village (Tar-Tar district, Azerbaijan), Horadiz, Ashaghy Seyidahmedli and Gorgan villages (Fizuli district, Azerbaijan) and unnamed heights (Goygol district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
40	17-18 October	At different times	Occupied areas near Garagashly, Shykhlar and Saryjaly villages (Aghdam district, Azerbaijan), Tapgaragoyunlu village (Goranboy district, Azerbaijan), Ashaghy Seyidahmedli village (Fizuli district, Azerbaijan) and unnamed heights (Khojavand district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–

No.	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
41	18-19 October	At different times	Unnamed heights (Ijevan district, Armenia), the area near Voskevan village (Noyemberyan district, Armenia), occupied areas near Shykhlar village (Aghdam district, Azerbaijan) and Ashaghy Veyselli village (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
42	19-20 October	At different times	Occupied areas near Horadiz, Ashaghy Seyidahmedli and Gorgan villages (Fizuli district, Azerbaijan) and unnamed heights (Khojavand district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
43	21-22 October	At different times	Occupied areas near Merzili and Yusifjanly villages (Aghdam district, Azerbaijan), Ashaghy Veyselli and Gorgan villages (Fizuli district, Azerbaijan), Kuropatkino village (Khojavand district, Azerbaijan) and unnamed heights (Goranboy district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
44	22-23 October	At different times	Occupied areas near unnamed heights (Aghdam and Fizuli districts, Azerbaijan)	Adjacent area	Firearm and machine gun	–
45	23 October	–	Armed forces of Armenia conducted military exercises in the occupied territories of Azerbaijan	–	Artillery, armoured units, as well as firearm and machine gun	
46	24 October	At different times	The area near Berkaber village (Ijevan district, Armenia), occupied areas near Kuropatkino village (Khojavand district, Azerbaijan) and unnamed heights and Gorgan village (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
47	26-27 October	At different times	Chinarli village (Berd district, Armenia), unnamed heights (Krasnoselsk district, Armenia), occupied areas near Javahirli and Shykhlar villages (Aghdam district, Azerbaijan), Tapgaragoyunlu village (Goranboy district, Azerbaijan), Mehdili village (Jabrayil district, Azerbaijan) and Horadiz village (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
48	28-29 October	At different times	Occupied areas near Javahirli and Shurabad villages (Aghdam district, Azerbaijan)	Adjacent area	Firearm and machine gun	–

No.	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
49	29-30 October	Evening and night hours	Unnamed heights (Krasnoselsk district, Armenia), occupied areas near Kuropatkino village (Khojavand district, Azerbaijan), Saryjaly and Shurabad villages (Aghdam district, Azerbaijan), Tapgaragoyunlu village (Goranboy district, Azerbaijan), Garakhanbeyli village (Fizuli district, Azerbaijan) and Mehdili village (Jabrayil district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
50	30-31 October	Evening and night hours	Occupied areas near Tapgaragoyunlu village (Goranboy district, Azerbaijan), Chilyabert village (Tar-Tar district, Azerbaijan) and Garakhanbeyli and Ashaghy Abdulrahmanly villages (Fizuli district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–
51	31 October	Evening hours	The area near Barekamavan village (Noyemberyan district, Armenia), occupied areas near Shykhlar village (Aghdam district, Azerbaijan) and Mehdili village (Jabrayil district, Azerbaijan)	Adjacent areas	Firearm and machine gun	–

United Nations S/2012/879

Security Council

Distr.: General
26 November 2012

Original: English

Letter dated 26 November 2012 from the President of the Security Council addressed to the Secretary-General

In my capacity as President of the Security Council, I am forwarding to you a letter dated 13 November 2012 from the Chair of the Security Council Working Group on Children and Armed Conflict established by resolution 1612 (2005), based on the conclusions adopted by the Working Group on 5 October 2012 (S/AC.51/2012/1) (see annex).

(*Signed*) Hardeep Singh **Puri**
President of the Security Council

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Annex

Letter dated 13 November 2012 from the Chair of the Security Council Working Group on Children and Armed Conflict addressed to the Secretary-General

At its 32nd meeting, on 30 September 2011, the Security Council Working Group on Children and Armed Conflict examined the fourth report of the Secretary-General on children and armed conflict in the Sudan (S/2011/413), covering the period from January 2009 to February 2011. At its 34th meeting, on 5 October 2012, the Working Group adopted its conclusions on children and armed conflict in the Sudan (S/AC.51/2012/1).

In follow-up to the recommendations of the Working Group, approved by the Security Council, and subject to and consistent with applicable resolutions of the Council, including 1612 (2005) and 1882 (2009), I am entrusted, in my capacity as Chair of the Working Group, to convey the following:

The Working Group requests you to ensure, as a matter of priority, the strengthening of the monitoring and reporting mechanism on children and armed conflict in the Sudan with the participation of and in cooperation with the Government and relevant United Nations and civil society actors, so as to provide the timely, objective, accurate and reliable information necessary to ensure the fulfilment of reporting obligations to the Security Council, and requests that the United Nations Interim Security Force for Abyei ensure the security and freedom of movement of United Nations child protection personnel;

The Working Group further requests you to ensure that the African Union-United Nations Hybrid Operation in Darfur and the United Nations country team, consistent with their respective mandates, collaborate with the Government and other parties to the conflict to develop and implement action plans to halt the recruitment and use of children in armed conflict in the Sudan;

The Working Group encourages you to strengthen, in close consultation with the African Union, the child protection capacity in the African Union-United Nations Hybrid Operation in Darfur;

The Working Group requests you to submit two separate reports for the Sudan and South Sudan following the independence of South Sudan in July 2011.

(*Signed*) Peter **Wittig**
Chair
Security Council Working Group on Children and Armed Conflict